

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:09cv17-3W
(3:05cr358)


WILLIAM LEVESQUE,)	
)	
Petitioner,)	
v.)	ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

THIS MATTER comes before the Court upon the Petitioner's Motion to Vacate Sentence, (Doc. No. 1), the Government's Answer (Doc. No. 7); and the Petitioner's Reply (Doc. No. 8.) In its Answer, the Government requests that the Court set this matter for an evidentiary hearing. The Court agrees that an evidentiary hearing is appropriate. Therefore, the Court directs that the United States Marshal's Service produce the Petitioner, William Levesque, currently housed at Federal Correctional Institution at Bennettsville, before the Honorable Frank D. Whitney, United States District Judge, for a hearing during the week of on August 23, 2010 in Courtroom No. 1. The Court has not yet determined the specific day of the hearing, but such hearing will be held during the week of August 23, 2010. The Marshal is further directed to return Petitioner to FCI Bennettsville or such other facility designated by the Bureau of Prisons at the conclusion of the Evidentiary hearing.

The Clerk is directed to certify copies of this Order to Petitioner, Noell Tin, Esq., the United States Attorney, and the United States Marshals Service.

SO ORDERED.

Signed: July 22, 2010



Frank D. Whitney
United States District Judge

